

04-12-02

CPA

\$  
1631**CONTINUED PROSECUTION APPLICATION (CPA)****REQUEST TRANSMITTAL (Large Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

Army146

 **DUPLICATE** (Check box if applicable)

APR 10 2002

First Named Inventor

Examiner

Group/Art Unit

Ulrich

M. Allen

1631

#30

Plunkett  
4/23/02

TECH

CENTER

1600/290

APR 16 2002

RECEIVED

This is a request for filing a  continuation, or  divisional application under 37 CFR 1.53(d), (continued prosecution

application (CPA)) of prior application number

08/882,431

filed on June 25, 1997

and entitled:

**BACTERIAL SUPERANTIGEN VACCINES**

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).

a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.4.  A new power of attorney or authorization of agent is enclosed.5.  An Information Disclosure Statement (IDS) is enclosed:a.  PTO-1449b.  Copies of IDS Citations6.  The fee for this application is calculated as follows:**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	31	- 20 =	11	x \$18.00	\$198.00
Indep. Claims	12	- 3 =	9	x \$84.00	\$756.00
Multiple Dependent Claims (check if applicable)					\$0.00
3/14/2002	AMENDMENT	00000140	210380	08882431	
				BASIC FEE	\$740.00
				TOTAL FILING FEE	\$1,694.00

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 21-0380

- fees required under 37 C.F.R. 1.16.
- fees required under 37 C.F.R. 1.17.
- fees required under 37 C.F.R. 1.18.

8.  A check in the amount of \_\_\_\_\_ is enclosed.

9.  Also enclosed:

Certificate of express mailing

10.  The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

**RECEIVED**

APR 16 2002

TECH CENTER 1600/2900

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

**NOTES**

**Submit an original, and a duplicate for fee processing.**

TECH CENTER  
RECEIVED  
APR 16 2002

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

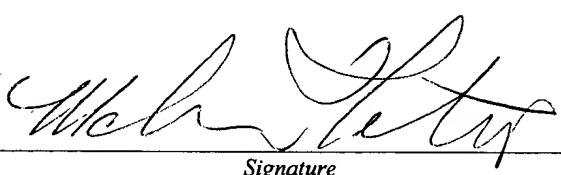
**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: April 10, 2002



\_\_\_\_\_  
Signature

Mariana Titus, Reg.No.35,843, for E. Arwine, RegNo.45,867

*Typed or printed name*

*Registration Number (if applicable)*

- Inventor(s)  
 Assignee of complete interest  
 Attorney or agent of record

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Ulrich et al.

Docket No.

Army140

Serial No.  
08/882,431Filing Date  
June 25, 1997Examiner  
M. AllenGroup Art Unit  
1631

Invention: Bacterial Superantigen Vaccines

TECH JCNTR 1600/2900

APR 16 2002

RECEIVED

I hereby certify that the following correspondence:

Continued Prosecution Application (large entity, in duplicate); Preliminary Amendment; self-addressed postcard receipt listing all enclosed items

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

April 10, 2002

(Date)

Marlana Titus

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

ET140215461US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.